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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,922	02/21/2002	Julianna Lisziewicz	RGT 9771	4590

7590 04/04/2005

LOOPER, VALERIE E.
11726 LIGHTFALL COURT
COLUMBIA, MD 21044

EXAMINER

WILSON, MICHAEL C

ART UNIT	PAPER NUMBER
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1632

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

10/081,922

Examiner

Michael C. Wilson

Applicant(s)

LISZIEWICZ ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 22 September 2004.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

See attached

MICHAEL WILSON
PRIMARY EXAMINER



Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

On 10-22-04, applicants provided a copy of the amended claims filed by applicants on 6-24-04, a copy of the arguments filed by applicants 6-24-04 and the office action sent by the examiner on 9-22-04. The response filed 10-22-04 does not provide any new arguments or amend the claims. The response filed 10-22-04 requests an interview because the phrase "antigen presenting cells" and "mixtures thereof" are found in the parent application or original claim 8. A request for an interview does not constitute a response to an office action. The response filed 10-22-04 does not constitute a proper response because it does not amend the claims, provide any new arguments or request continued examination of the application.

Upon further consideration, the rejection regarding "antigen presenting cells" as being new matter has been withdrawn because support for the phrase can be found on pg 2, lines 19 and 29-31, of the instant application.

The remaining rejections are maintained for reasons of record.

In any future response, please refer to the instant application as 10/081,922 and not "DIVISION of 09/153198." In the response filed 10-22-04, many of the papers had a heading with "DIVISION of 09/153198" which caused the papers mistakenly to be filed with 09/153198. Upon correction of the error, the case was not forwarded to the examiner.

In any future response, courtesy copies of previous documents in the file are unnecessary unless the document has been lost. Please limit future responses to new amendments or arguments. When providing a courtesy copy of claims without any

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amendments, please remove any underlining/bracketing because the underlining/bracketing implies that the claims have been amended.

The request for interview filed 10-22-04 was found in the file by the examiner on 4-1-04, which is more than 6 months after the final office action was sent.

A phone call was made by Examiner Wilson on 4-1-04 to Valerie Looper at 410-715-5771 at 4:07 pm but did not result in contact. Nor did any voice mail pick up after more than 10 rings.

The application has been abandoned because applicants did not properly respond to the final office action with an amendment, new arguments or a request for continued examination within 6 months.

Inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Wilson who can normally be reached at the office on Monday, Tuesday, Thursday and Friday from 9:30 am to 6:00 pm at 571-272-0738.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

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If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Ram Shukla, can be reached on 571-272-0735.

The official fax number for this Group is (571) 273-8300.

Michael C. Wilson

A handwritten signature in black ink, appearing to read 'M. Wilson', with a long horizontal flourish extending to the right.

MICHAEL WILSON
PRIMARY EXAMINER